

HOFLAND & TOMSHECK

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Appointed counsel for **Marcus Antonio Zamudio-Orozco**

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS ANTONIO ZAMUDIO-OROZCO,

Defendant.

Case No. 2:23-cr-00058-JCM-MDC

**STIPULATION TO CONTINUE
SENTENCING
(FOURTH REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Edward G. Veronda, Assistant United States Attorney, counsel for the United States of America, and Jason F. Carr, Esq., CJA appointed counsel for Marcus Antonio Zamudio-Orozco, that the sentencing set for September 27, 2024, at 10:00 a.m. be vacated and set to a date and time convenient to this Court, but no sooner than thirty (30) days.

The Stipulation is entered into for the following reasons:

1. This is the fourth stipulation of the sentencing date.
2. That defendant Zamudio personally asked for this request for a continuance of the sentencing date because he is still working on putting his affairs in the United States in order to serve his prison sentence in this matter and then face his inevitable removal from the country. This effort includes trying to acquire

personal property that was seized by the Nye County Sheriff's office during an arrest for charges the county ultimately dismissed.

3. That counsel for Zamudio has a conflict with existing deadlines preventing him from filing a timely sentencing memorandum. This includes an amended petition counsel filed last week in *State v. Terrell Kemp*, A-22-852239 and another amended petition due on September 27, 2023 in *State v. Anthony Barr*, A-21-835125-W.
4. That, from the defense perspective, a sentencing memorandum is necessary in this matter because of an outstanding informal objection to the presentence investigation report that is not yet resolved. This issue involves the criminal history calculation portion of the report.
5. That defense counsel was able to meet in-person with Mr. Zamudio on September 19, 2024, to prepare for sentencing. Mr. Zamudio has questions about the PSR that defense counsel and Mr. Zamudio did not have the time to resolve during that meeting. Further consultation is required before Mr. Zamudio is ready for sentencing.

For these reasons, the parties respectfully request the sentencing date be continued.

DATED this 23rd Day of September, 2024.

HOFLAND AND TOMSHECK

JASON M. FRIERSON
United States Attorney

/s/ Jason F. Carr

/s/ Edward G. Veronda

By: _____

By: _____

JASON F. CARR, ESQ.
CJA Counsel Zamudio-Orozco

EDWARD G. VERONDA
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 MARCUS ANTONIO ZAMUDIO-OROZCO,

7 Defendant.

Case No. 2:23-cr-00058-JCM-VCF

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

8
9 **FINDINGS OF FACT**

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- 12 2. That defendant Zamudio personally asked for a continuance of the sentencing
13 date because he is still working on putting his affairs in the United States in order
14 to serve his prison sentence in this matter and then face his inevitable removal
15 from the country. This effort includes working with defense counsel to acquire
16 personal property that was seized by the Nye County Sheriff's office during an
17 arrest for charges the county ultimately dismissed.
- 18 3. That counsel for Zamudio has a conflict with existing deadlines preventing him
19 from filing a timely sentencing memorandum. This includes an amended
20 petition counsel filed last week in *State v. Terrell Kemp*, A-22-852239 and
21 another amended petition due on September 27, 2023 in *State v. Anthony Barr*,
22 A-21-835125-W.
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25 investigation report that is not yet resolved. This issue involves the criminal
26 history calculation portion of the report.

CONCLUSIONS OF LAW

ORDER

DATED September 25, 2024.

James C. Mahan
UNITED STATES DISTRICT JUDGE